

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN DURRELL HOLCOMB,

Plaintiff,

No. CIV S-02-2417 LKK KJM P

vs.

HIGH DESERT STATE PRISON, et al.,

Defendants.

ORDER

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Defendants Cloud, Barton, Wilson, Crofoot, Sanders and Hibbits seek permission to file a motion for summary judgment despite the fact that the court has already ruled on a motion for summary judgment brought by defendants and the deadline for filing motions for summary judgment has long since passed. Defendants have not shown good cause for the court to consider a second motion for summary judgment at this late date¹ nor why the arguments made now could not have been made before the expiration of the deadline to file dispositive motions.

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¹ Although counsel points to the difficulty the court has had in obtaining counsel to represent plaintiff at trial, the court's understanding is that those attorneys who have declined appointment have done so for reasons unrelated to the merits of the plaintiff's case.

1 Therefore, defendants request (docket entry #114) is denied. The Clerk of the Court is also
2 directed to administratively terminate defendants' motion for summary judgment (docket entry
3 #115).

4 DATED: June 4, 2008.

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7 LAWRENCE K. KARLTON
8 SENIOR JUDGE
9 UNITED STATES DISTRICT COURT
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